

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

2

TITLE OF CASE

ATTORNEYS

Ulysses J. Wimbush

vs

Froug's Company Inc., aka Froug's

For plaintiff:

Caesar C. Latimer
565 East Pine Street
Tulsa, Oklahoma 74106

587-6482

(584-5383)

513-7841

For defendant:

David L. Fist and Coleman Robison
300 McFarlin Bldg.
Tulsa, Oklahoma (585-9211)

STATISTICAL RECORD

COSTS

DATE

NAME OR
RECEIPT NO.

REC.

DISB.

J.S. 5 mailed 8-1-71

Clerk

7-14-71 Latimer

15 00

7-15-71 D.D.No.4

15 00

J.S. 6 mailed 8-1-72

Marshal

Basis of Action: Violation of
Civil Rights Act of
1964

Docket fee

Witness fees

Action arose at: Tulsa

Depositions

DATE	PROCEEDINGS	Date Order or Judgment Noted
7-14-71	Complaint, filed. Summons issued. m	
7-16-71	Summons, ret. & filed: served Froug's Company at Tulsa, Ok. 7-15-71. (USM \$3.00)g	
8-2-71	Answer of Deft., filed. r	
8-24-71	Case set for Pre-Trial Hearing on Wednesday, September 8, 1971 at 11:15 A.M. (FD-J)r	
9-8-71	Pre-Trial Hearing held. Parties represented. Statements made. Deft. directed to file Motion to Dismiss for Lack of Jurisdiction within 10 days; Pltf to respond to said Motion within 10 days thereafter. Case to be set on Non-Jury Assignment. (FD-J)r	
9-15-71	Deposition of Ulysses J. Wimbush, filed on behalf of def. taken before Thomas G. Bloxom on Sept. 2, 1971. (\$23.00 pd by def.)	
9-17-71	Motion of The Froug Company, Inc. to dismiss or for summary judgment filed. g. w/Affidavit of David L. Fist. Filed.	
9-17-71	Brief of defendant in support of motion to dismiss, etc., filed. g <i>mailed</i>	
9-21-71	Copy of letter Caesar Latimer from J. D. Law Clerk advising that plaintiff to respond to Deft's Motion with brief within 15 days from 9-20-71. Filed. r	
9-21-71	Plaintiff's Brief in opposition to defendant's motion to strike notice of taking depositions upon oral examination with Affidavit attached, filed. v	
10-4-71	MINUTE ORDER: granting pltf 10 days from Oct. 5, 1971 to submit response to the motion to Dismiss of Deft., or for Summary Judgment, (FD-J)r	
10-15-71	MINUTE ORDER: Granting pltf. until Monday, October 18, 1971 to submit response to the Motion to Dismiss of Deft., or for S/J. (FD-J)r	
10-18-71	Response of Plaintiff to Deft.'s Motion to dismiss or for Summary Judgment, filed. v w/affidavit of Caesar Latimer; Memorandum Brief; & Appl. for	
11-18-71	Copy of Letter dated 11-17-71 from J. D. to David Fist, stating that the Deft is to respond to Application w/ brief within 10 days from 11-17-71, filed. r	
12-3-71	Deft's response to application to amend complaint, filed. m <i>mailed</i>	
12-7-71	Order filed - denying the Motion to Dismiss Plaintiff's Original complaint. Also ordered that pltf is granted 5 days in which to file an Amended Complaint or an amendment to his present complaint. Deft. is granted 10 days thereafter in which to file an answer to same, Filed. (FD-J)r (copies mailed to attys)	
12-14-71	Pltf's Amended Complaint, filed. r	
12-22-71	Deft's motion to strike and answer to amended complaint, filed. m <i>mailed</i>	
1-11-72	Copy of Letter dated 1-10-72 from J. D. to Caesar Latimer stating that Pltf should respond to Defts' Motion to Strike within 15 days from 1-10-72, filed. r	
1-12-72	Deft.'s First Interrogatories, filed. v	
1-25-72	Pltfs' Application for Additional time to Response, filed. r <i>mailed</i>	
1-28-72	Order, filed, granting pltf. 10 additional days to reply to motion to strike. (FD-J)hm (copies mailed)	
2-9-72	Deft.'s First Interrogatories to the Pltf., filed. v	
2-16-72	Plaintiff's reply to motion to strike, filed. ds	
2-24-72	Order filed, that Deft's Motion to Strike must be denied, filed. (FD-J)r (Copies mailed to attys)	
3-30-72	Case set for Non-Jury Trial on Wed., 4/19/72 at 1:30 p.m. (FD-J)rm	
4-6-72	Case stricken from Non-Jury of 4-19-72, by Agree of Counsel, (FD-J)r	

(CONT)

DATE	PROCEEDINGS	Date Order or Judgment Noted
6-20-72 7-13-72	Case set for Non-Jury on Thurs., July 13, 1972 @1:30 P.M. (FD-J)r Non-Jury Trial held. Parties represented. Pltf announce Not Ready; Deft announce ready. Pltf request to dismiss case to refile-denied. Deft's Trial Brief and list of witnesses, filed in Open Court. Court dismisses the Pltf's Complaint, and directs clerk to enter Judgment. Pltf has 10 days to file Motion for new trial. (FD-J)r	
7-13-72	Judgment of the Court, filed and entered dismissing Pltf's Complaint. (JHP-Clerk by JCS) r	
7-26-72	MINUTE ORDER: Court grants Pltf ext of time to 7-28-72, in which to filed their Motion for New Trial, w/Brief. (FD-J)r	

DATE	PROCEEDINGS	Date Order or Judgment Noted